

DR. LORNA WAN-HSI FENG

JULY 19, 1951.—Committed to the Committee of the Whole House and ordered to be printed

Mr. WALTER, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 526]

The Committee on the Judiciary, to whom was referred the bill (S. 526) for the relief of Dr. Lorna Wan-Hsi Feng, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Lorna Wan-Hsi Feng. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

GENERAL INFORMATION

The beneficiary of the bill is a 42-year-old native and citizen of China who was last admitted to the United States on May 14, 1949. She was educated in the United States, having received her bachelor of science degree and a degree in physical chemistry in 1930 from the University of Hawaii. In 1935 she received her doctor's degree from the University of Michigan and took her internship in Detroit. She is presently an advanced specialist in pathology, obstetrics, and gynecology at the Grace Hospital, Detroit, Mich., where her services are stated to be outstanding and necessary.

A letter dated July 18, 1950, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to S. 3158, which was a bill introduced in the Eighty-first Congress for the relief of the same alien, reads as follows:

JULY 18, 1950.

Hon. PAT McCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice with respect to the bill (S. 3158) for the relief of Dr. Lorna Wan-Hsi Feng.

The proposed legislation would direct that, in the administration of the immigration laws, Dr. Lorna Wan-Hsi Feng of Detroit, Mich., shall be considered to have been lawfully admitted to the United States for permanent residence as of May 14, 1949, the date of her last entry, upon the payment of the required head tax and visa fee. It also would authorize and direct the Secretary of State to instruct the quota-control officer to deduct one number from the nonpreference category of the Chinese immigration quota.

The files of the Immigration and Naturalization Service of this Department disclose that Dr. Feng, who is unmarried, was born in Hankow, Hupeh, China on October 5, 1908. She is a citizen of China, of the Chinese race, and is a doctor by occupation. She first arrived at the port of Honolulu, T. H., on November 7, 1927, and was admitted as a student, receiving a Bachelor of Science degree and a degree in physical chemistry by 1930 from the University of Hawaii. She attended the University of Michigan from 1930 until 1935, received her doctor's degree, and then took her internship in Detroit. From October 1936, until June 1939, she served in the First Red Cross Hospital and in the First Emergency Hospital in Shanghai, China. Seattle, Wash., was her second port of arrival where she was temporarily admitted on June 28, 1939, as a student. On January 6, 1945, Dr. Feng executed an application for preexamination, at which time she stated that she intended to proceed to Windsor, Ontario, and there apply for an immigration visa. Her petition for preexamination was approved by the Immigration and Naturalization Service on January 27, 1945, but she did not proceed to Canada due to the fact that a Chinese quota number was not available to her at the time. She left the United States on July 10, 1946, in order to perform duty in China under the auspices of the Chinese National Relief and Rehabilitation Administration, Washington, D. C. She last arrived at the port of San Francisco on May 14, 1949, being admitted as a temporary visitor for a period expiring October 13, 1949. She was subsequently granted an extension of stay, which expired April 12, 1950, in order that she might continue under a fellowship granted by Grace Hospital, Detroit, Mich. At the present time she is taking advanced training at Grace Hospital, where she is receiving maintenance plus an allowance of \$250 a month. Dr. Feng has a sister residing in Honolulu and two brothers and two sisters in China. She has no dependents in the United States. A character investigation conducted by the Immigration and Naturalization Service indicates that she is highly regarded by members of her profession.

The Chinese racial quota, to which the alien is chargeable, is oversubscribed and a quota-immigration visa is not readily obtainable. Her case is similar to those of many other aliens who want to enter this country for permanent residence but who are unable to do so due to the oversubscribed condition of the quotas to which they are chargeable. Dr. Feng last entered the United States as a temporary visitor and has continued to remain here after the expiration date of her temporary visa in the hope that she might be able to adjust her status without having to return to China to await her turn for a quota number. The record fails to present considerations sufficient to justify the enactment of special legislation in her behalf.

Accordingly, the Department of Justice is unable to recommend enactment of this bill.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Senator Homer Ferguson, the author of the bill, has submitted the following information in connection with the case:

WASHINGTON, D. C., April 26, 1951.

Re S. 526. For the relief of Dr. Lorna Wan Hsi Feng.

Hon. HOMER FERGUSON,
United States Senate, Washington 25, D. C.

DEAR SENATOR FERGUSON: I take pleasure in handing you, in duplicate, folders containing documentary material in support of the private bill which you

were good enough to introduce on behalf of my client, Dr. Lorna Wan Hsi Feng. You will note that this is divided into five parts: (1) Dr. Feng's own letter to you and her autobiographical statement with respect to her sojourn and studies in the United States. (2) Letters from physicians testifying to the shortage of trained doctors in this country, specifically in Detroit and in the Grace Hospital in that city; to Dr. Feng's qualifications to help alleviate this shortage; and to her prodemocratic and anticommunistic views. (3) Letters from officials of Wayne University at Detroit. (4) Letters from other individuals personally acquainted with Dr. Feng and testifying not only to her professional skill but in particular to her devotion to democratic principles, and calling attention to the persecution which would unquestionably await her if it were necessary for her to return to China. (5) Statistical material and press reports bearing on the current shortage of doctors (not in duplicate folder). In addition, I understand that some letters in support of this bill have been sent directly to you, notably a letter from Governor Williams of the State of Michigan. It will be deeply appreciated if you will submit to the Immigration Subcommittee of the Senate Judiciary Committee the material which I am furnishing herewith, as well as the letter from Governor Williams and such other evidentiary material as you may have.

In brief, I feel that the record now demonstrates overwhelmingly the need for Dr. Feng's services in this country, particularly in the Detroit area, and even more specifically at the Grace Hospital. To save the time of persons perusing this record, I have taken the liberty of marking in red pencil some of the more pertinent passages in the letters and other material. Permit me to call attention to one or two salient points.

It is to be noted that at the time of Dr. Feng's last entry into the United States, she intended to depart upon the expiration of her temporary visa (see Dr. Feng's statement in her letter of March 29, 1951, in sec. 1 of enclosed dossier; and letter of Dr. Robert T. Burns, dated February 27, 1951, in sec. 2). The occupation by the Communists of the entire Chinese mainland took place subsequently, and it then became apparent that she would be persecuted for her known democratic viewpoint if she were to return, and that she would not be permitted freely to exercise her profession in China. It will be noted further that Dr. Feng missed by only 2 weeks the deadline of April 30, 1949. Had she arrived by that time instead of on May 14, 1949, she would have been eligible for adjustment of status under section 4 of the Displaced Persons Act as amended. She has never been arrested or convicted of any offense under Federal or State law.

The letters from doctors include those from the high officials and key personnel of the Grace Hospital. The same is true of the officials of Wayne University who have written letters. These are the people who are actually coping with the doctor shortage and they evidently see in the possibility of retaining Dr. Feng's services in this country one concrete step in the direction of alleviating that shortage. This judgment, which they so unanimously express, is moreover based on long and intimate professional association with Dr. Feng. I would also call your attention to the fact that the Wayne University medical school is among those institutions which are making a special study of the means of obtaining additional doctors for Michigan, at the request of Governor Williams as stated to you in his letter of April 18, 1951 (a copy of which he was good enough to send me).

The material in section 5 at the end of the enclosed folders consists of a statistical survey prepared by Dr. Feng at my suggestion and selections, from a series of newspaper articles emphasizing the current doctor shortage. Dr. Feng's statistical survey shows the number of persons for each physician in each State of the United States. It will be noted that only three States and the District of Columbia are able to meet the objective stated by the Federal Security Agency of 1 physician for every 585 persons. These three States are Colorado, Massachusetts, and New York. Michigan falls far short in that it is estimated to have only 1 physician to every 915 persons.

If I can be of further service, I hope you will call on me at any and all times I believe that the merit of the bill as being not only equitable but to the advantage of the United States is fully demonstrated. I earnestly trust that Congress will share this view.

Yours very sincerely,

JOHN WARD CUTLER,
Attorney at Law.

The letters and other information mentioned in the above-quoted letter are contained in committee files.

The bill has been amended to conform with the policy of the committee in granting permanent residence in the United States to an alien as of the date of the adjustment rather than as of the date of last entry into the United States.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 526) should be enacted.



LORNA WAN-HSI FENG
Secretary

WASHINGTON, D. C.